

SENATE AMENDMENTS

2nd Printing

By: Button, Burrows, Schaefer, Canales,
Dutton, et al.

H.B. No. 4390

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the Texas Industry-Recognized Apprenticeship Programs
3 Grant Program.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 302.252(1), Labor Code, is amended to
6 read as follows:

7 (1) "Industry-recognized apprenticeship program"
8 means a training program that [+

9 [~~(A) provides on-the-job training, preparatory~~
10 ~~instruction, supplementary instruction, or related instruction in~~
11 ~~an occupation that has been recognized as an apprenticeable~~
12 ~~occupation by the Office of Apprenticeship of the United States~~
13 ~~Department of Labor, or~~

14 [~~(B)~~] is certified by the commission as an
15 industry-recognized apprenticeship program [~~by a third-party~~
16 ~~certifier that has received from the United States Department of~~
17 ~~Labor a favorable determination of qualification to award that~~
18 ~~certification].~~

19 SECTION 2. Subchapter I, Chapter 302, Labor Code, is
20 amended by adding Section 302.2555 to read as follows:

21 Sec. 302.2555. EXCLUDED PROGRAMS. The commission may not
22 certify or award a grant under this subchapter to a training program
23 in the construction industry, as that industry is described by the
24 North American Industry Classification System sector number 23.

1 SECTION 3. Section 302.257, Labor Code, is amended by
2 amending Subsection (a) and adding Subsection (a-1) to read as
3 follows:

4 (a) The commission shall adopt rules to administer and
5 enforce this subchapter, including rules establishing the criteria
6 and process for the commission to certify a training program as an
7 industry-recognized apprenticeship program for purposes of this
8 subchapter.

9 (a-1) The certification criteria established under
10 Subsection (a) must include that the training program:

11 (1) lead to the attainment of skills that:

12 (A) are customarily learned in a practical way
13 through a structured, systematic program of on-the-job supervised
14 training; and

15 (B) are clearly identified and commonly
16 recognized throughout an industry;

17 (2) involve manual, mechanical, or technical skills or
18 knowledge requiring significant on-the-job work experience; and

19 (3) require related instruction to supplement the
20 on-the-job training.

21 SECTION 4. As soon as practicable after the effective date
22 of this Act, the Texas Workforce Commission shall adopt the rules
23 required by Section 302.257, Labor Code, as amended by this Act.

24 SECTION 5. The change in law made by this Act applies only
25 to a grant awarded under Subchapter I, Chapter 302, Labor Code, on
26 or after the effective date of this Act. A grant awarded before
27 that date is governed by the law in effect on the date the grant was

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1 awarded, and the former law is continued in effect for that purpose.

2 SECTION 6. This Act takes effect September 1, 2023.

ADOPTED

MAY 21 2023

By: *Paul Bellercont*

Larry Spaul
Secretary of the Senate 4390

Substitute the following for H.B. No. 4390:

By: *Zaffini*

C.S. H.B. No. 4390

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12 ~~occupation by the Office of Apprenticeship of the United States~~
13 ~~Department of Labor, or~~
14 ~~[(B)]~~ is certified by the commission as an
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23 enforce this subchapter, including rules establishing the criteria
24 and process for the commission to certify a training program as an

1 industry-recognized apprenticeship program for purposes of this
2 subchapter.

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17 required by Section 302.257, Labor Code, as amended by this Act.

18 SECTION 4. The change in law made by this Act applies only
19 to a grant awarded under Subchapter I, Chapter 302, Labor Code, on
20 or after the effective date of this Act. A grant awarded before
21 that date is governed by the law in effect on the date the grant was
22 awarded, and the former law is continued in effect for that purpose.

23 SECTION 5. This Act takes effect September 1, 2023.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 22, 2023

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4390 by Button (Relating to the Texas Industry-Recognized Apprenticeship Programs Grant Program.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

Based on the analysis of the Texas Workforce Commission, any duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 320 Texas Workforce Commission

LBB Staff: JMc, SD, MOc, LBl, SZ

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 18, 2023

TO: Honorable Brian Birdwell, Chair, Senate Committee on Natural Resources & Economic Development

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB4390** by Button (relating to the Texas Industry-Recognized Apprenticeship Programs Grant Program.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

Based on the analysis of the Texas Workforce Commission, any duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 320 Texas Workforce Commission

LBB Staff: JMc, MOc, LBl, SZ

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 15, 2023

TO: Honorable Brian Birdwell, Chair, Senate Committee on Natural Resources & Economic Development

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4390 by Button (Relating to the Texas Industry-Recognized Apprenticeship Programs Grant Program.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

Based on the analysis of the Texas Workforce Commission, any duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 320 Texas Workforce Commission

LBB Staff: JMc, MOc, SZ, LBI

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 12, 2023

TO: Honorable Angie Chen Button, Chair, House Committee on International Relations & Economic Development

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB4390** by Button (relating to the Texas Industry-Recognized Apprenticeship Programs Grant Program.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

Based on the analysis of the Texas Workforce Commission, any duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 320 Texas Workforce Commission

LBB Staff: JMc, SZ, LBI

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 31, 2023

TO: Honorable Angie Chen Button, Chair, House Committee on International Relations & Economic Development

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB4390** by Button (Relating to the Texas Industry-Recognized Apprenticeship Programs Grant Program.), **As Introduced**

No significant fiscal implication to the State is anticipated.

Based on the analysis of the Texas Workforce Commission, any duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

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Source Agencies: 320 Texas Workforce Commission

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